THE YUKON HUMAN RIGHTS COMMISSION ANNUAL REPORT 1996 - 1997

Chairperson's Message

The Honourable Robert Bruce
Speaker of the Assembly
Legislative Assembly of the Yukon
Government of the Yukon
Box 2703
Whitehorse, Yukon
Y1A 2C6

Dear Mr. Speaker:

I have the honour to submit the Annual Report of the Yukon Human Rights Commission for the year ended March 31, 1997 in accordance with section 17 of the Yukon *Human Right's Act*. This past year has marked the 10th Anniversary since the inception of the Yukon Human Rights Commission in July of 1987. It has been a decade of growth and expansion both in human rights law and in human rights awareness.

During this ten year period there have been no amendments to the legislation, nor a comprehensive review of its implementation. A legislative review is badly needed to enable the Commission to build on its experience gained over the past ten years, to keep pace with new developments in human rights law and to address deficiencies in the existing legislation.

The Commission also recognizes that it must provide a more effective service in the rural communities throughout the Yukon. In the coming years, it plans to expand its education initiatives by doing effective community outreach and some intake at the community level. The current system of having a toll free number available for potential complainants outside of Whitehorse to reach the Commission is simply not enough.

The Commission Says Goodbye to an Old Friend

From left: Recently retired Executive Director Margaret McCullough with Commission Chair Geraldine

This year marked a period of transition as long serving Executive Director Margaret McCullough retired in March , 1997. Margaret joined the Commission at its inception and has been Director since 1991. We at the Commission wish her well in her semi-retirement as she looks forward to travel and part-time work.

After the end of this reporting year, the new Executive Director, Heather MacFadgen, was appointed effective June 1, 1997. Ms. MacFadgen is a lawyer and an educator who has taught at Yukon College. She has been active in the local community serving on the Board of the Yukon Family Services Association and Kaushee's Place. One new Commissioner was also appointed this term, Dr. Richard D'Aeth on April 25, 1996. Dr. D'Aeth is originally from South Africa and has served as medical officer in the North West Territories. He was awarded the Confederation Medal in 1992 and retired from the federal government in 1993. In 1994 he was an official observer in the South African constitutional election, an experience he found moving and exhilirating. We are happy to have Dr. D'Aeth working with us and look forward to his counsel in the years ahead.

I would finally like to thank my fellow Commissioners Brenda Chambers, Geraldine Van Bibber, and Richard D'Aeth for their work over the past year.

Respectfully Yours,

Geraldine Hutchings.
Yukon Human Rights Commission Chair

Year's Report on Activities

The Commission's work has two main components: one is to prevent discrimination from occurring which it does through public education; the other is to handle complaints of discrimination which are alleged to have occurred. The public education component is accomplished through community outreach and responding to inquiries from citizens as required. The resolution of complaints is done from the Commission's office in Whitehorse where there is one human rights investigator who investigates and reports on particular cases of discrimination and harassment.

Public Education

Over the 96-97 period there have been a number of important undertakings of the Commission to address this component of its mandate. The Commission recognizes that ensuring a growing public awareness of human rights is work which must be shared with the community. To further this goal, the staff of the Commission engage in direct educational efforts through workshops and presentations, as well as administer a community grants program.

Highlights of Presentations and Workshop Given by the Commission

- May 23-4, 1996 Director Margaret McCullough to YTG Central Workshop facilitating a human rights workshop.
- CASHRA' 96 in Victoria, B.C. - June Attended by Chair, Geraldine Hutchings, Commissioners, Brenda Chambers, Geraldine Van Bibber, Richard D'Aeth and Director, Margaret McCullough. CASHRA holds an annual educational conference attended by all Human Rights Commissions.
- August 20, 1996 Director McCullough attended a workshop by the Federal Taskforce on Disabilities at Sports Yukon.
- September 6, 1996 Director McCullough and staff Riordan

and Nikon attended an informational meeting by the Federation of Canadian Municipalities. Director McCullough addressed part of the question period.

- December 6, 1996 Margaret McCullough flew to Ft. Smith and facilitated a workshop recognizing December 10 International Human Rights Day for the Fort Smith Unity Project.
- January 15, 1997 Director conducted a presentation for Yukon Development Education Center.
- February 5, 1997 Presentation by Margaret McCullough for Social Issues Lecture at Yukon College.
- February 24, 1997 Margaret McCullough met with Michael Dougherty and Father Romo (1997 Development and Peace Solidarity Speaker Tour) at the Whitehorse meeting of Father Romo's Tour.
- February 27, 1997 Director McCullough gave a presentation to the Kiwanis Club.

Community Grants Program

The Commission recognizes that effective education on human rights must be a shared responsibility with the Community. To this end, the Commission provides grants to community organizations for effective public education programs on human rights. The following organizations received a total of $1500 from the Commission this year:

- $300.00 to the *Learning Disabilities Association* of the Yukon Territory to enable one child to attend a Winter Camp for children with learning disabilities.
- $300.00 to the *Yukon Steering Committee* to support an athlete or cultural performer to attend the 1997 North American Indigenous Games
- $300.00 to the *Social Justice Committee* (Sacred Heart Church) 1997 Development & Peace Solidarity Speaker Tour to defray expenses for Father Romo on his visit to the Yukon
- $300.00 to the *Yukon Development Education Centre* for the "Choices for the Future" Speakers Series on human rights.
- $300.00 to Yukon College to defray consts for the Friendship Circle comemorating the "International Day for the Elimination of Racism."

The Commission wishes to thank all those who participated in the Yukon Community Grants Programme and looks forward to continuing this important funding program next year.

Case Work

The other component of the Commission's mandate consists of handling inquiries which can involve many hours of staff time including research, consultation with other jurisdictions and meetings with individuals and groups.

For example, some inquiries are from employers seeking the Commission's assistance in the development of workplace anti-discrimination policies or advice on how to deal with a personnel issue which requires accommodations of an employee's pregnancy, disability or religious observance. This aspect of the Commission's work is preventative. Other examples of inquiries are those from individuals who seek advice on how to handle a problem of workplace harassment on their own without engaging in a formal complaint process.

The Commission believes that this advisory and early intervention assistance is one of the most valuable and cost effective services that it provides to the community. One example of this early resolution process involved a women who had been accommodated by her employer to allow her to breast-feed her infant at work. The accommodation no longer was available when staff was reduced. The Commission, with the cooperation of both the employee and the employer, helped devise an accommodation which allowed her to continue to breast-feed, but on a schedule which would avoid the employer's peak business hours.

In another example, an employer wished advice on how to accommodate a pregnant employee who had requested alternate duties for the remainder of her pregnancy. The employer was able to accommodate the employee in a temporary position at a lower salary. In the circumstances, this was a reasonable accommodation. Also, the employer was required by law to hold the original or comparable position open to the employee for her eventual return.

Statistics for April 1, 1996 - March 31, 1997

Inquiries	
Handled by staff	81
Referred CHRC	13
Referred Other	37
Total Inquiries	**131**
Informal Complaints (Early Resolution) by prohibited ground:	
Sex, including pregnancy	4
Physical disability	3
Ancestry, including race	1
Criminal charges/record	1
No prohibited ground identified:	
Employment related	4
Total Informal Complaints	**13**
Formal Complaints:	
Brought Forward April 1, 1996	33
New Cases 1996/97	10
Resolutions 1996/97	26
Cases Carried Over April 1, 1997	**17**
New Cases by prohibited ground:	
Ancestry, including race	1
Sex, including pregnancy	2
Physical disability	6
Family/Marital status	1
Criminal charges/record	1
Total New Cases	**11**

Cases which are initiated within the six month deadline and are within the Commission's jurisdiction are investigated and a report is completed. Based on the report, a determination is made by the Commission to dismiss, settle, or refer the matter to a public hearing. Three notable settlements which occurred this past year were in the cases of Chance Makin, Jason Grant, and Jonathan Cohen. Each alleged discrimination in the provision of educational services based on a learning disability. The Commis-

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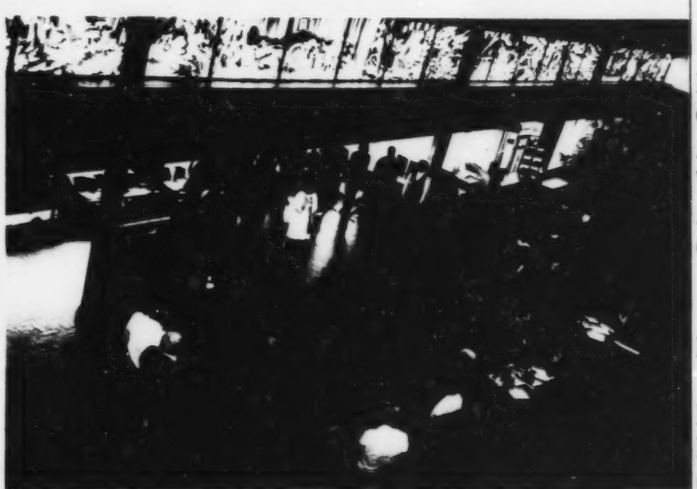
sion, YTG, and the three complainants agreed to a monetary settlement for each complainant.

The final event in this reporting period was the ceremony at the Yukon Government Building on March 21, 1997 marking the International Day for the Elimination of Racism. Organized by the Commission yearly, the event has grown from a small gathering to one that includes school children, elected members of the legislature, and members of local advocacy groups all demonstrating their commitment to ending racism.



Participants at the "Circle of Friendship" on March 21, 1997. Centre is Pamela Screve of the Canadian Human Rights Commission's Vancouver office

Auditor's Report

I have audited the financial position of The Yukon Human Rights Commission as at March 31, 1997 and the statements of operations, changes in net assets and cash flows for the year then ended. These financial statements are the responsibility of the Commission's management. My responsibility is to express an opinion on these financial statements based on my audit.

I conducted an audit in accordance with generally accepted auditing standards. Those standards require that I plan and perform and audit to obtain reasonable assurance whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation.

In my opinion, these financial statements present fairly, in all material respects, the financial position of the Commission as at March 31, 1997 and the result of its operations and the changes in its financial position for the year then ended in accordance with generally accepted accounting principles for non profit entities.

J. Kim Tanner, Chartered Accountant — Whitehorse, Yukon, July 17, 1997

STATEMENT OF FINANCIAL POSITION AS AT MARCH 31, 1997

	1997	1996 (restated)
ASSETS		
CURRENT ASSETS		
Cash	$ 78,073	$ 68,739
Accounts Receivable	1,537	---
Prepaid Expenses	743	735
	80,353	69,474
CAPITAL ASSETS (notes 2a, 3)	68,262	72,005
	$ 148,615	$ 141,479
LIABILITIES		
CURRENT LIABILITIES		
Accounts Payable & Accrued Liabilities	14,653	56,822
Wages & Employee Benefits Payable	2,099	157
Accrued Retirement Allowances Payable	10,325	9,903
Current Portion of Long-Term Debt (note 4)	91	1,086
	$ 27, 168	$ 67, 968
LONG-TERM DEBT (note 4)	—	91
NET ASSETS		
INVESTMENT IN CAPITAL ASSETS (notes 2a,3)	68,262	72,005
UNRESTRICTED NET ASSETS	53,185	1,415
	121,447	73,420
	148,615	141,479

Approved by: _____ Chair

STATEMENT OF CASH FLOWS

CASH PROVIDED BY (USED FOR) OPERATIONS	1997	1996
Grants Received from Gov't of Yukon	$ 316,467	$ 244,361
Other Cash Received for Operations	171	385
Cash Paid Out for Wages & Benefits	(184,358)	(173,407)
Cash Paid Out for Other Operational Costs	(126,669)	(83,581)
	5,611	(12,242)
CASH PROVIDED BY (USED FOR) FINANCING AND INVESTMENT		
Purchase of Capital Assets	---	(641)
Interest Income Earned on Term Deposits And Savings	4,809	9,110
Repayment of Long-Term Debt	(1,086)	(1,087)
	3,723	7,382
NET INCREASE IN CASH IN YEAR	9,334	(4,860)
CASH AT BEGINNING OF YEAR	68,739	73,599
CASH AT END OF YEAR	$ 78,073	$ 68,739

STATEMENT OF OPERATIONS
FOR THE YEAR ENDED MARCH 31, 1997

	1997	1996
REVENUE		
Government Grant for Operations	$ 312,900	$ 242,900
Government of Yukon Training Grant	3,567	1,461
Interest Income	4,809	9,110
Other Income	1,708	385
	$ 322,984	$ 253,856
EXPENSES		
Administration		
Advertising and Promotion	192	201
Annual Report	4,939	4,580
Capital Asset Purchase	---	641
Dues and memberships	650	670
Equipment Repairs & Maintenance	1,250	1,054
Interest and Bank Charges	5	3
Office Supplies	2,843	1,696
Postage, Freight & Deliveries	1,033	1,593
Professional Fees	1,225	1,200
Subscriptions, Publications & Films	1,461	1,571
Telephone	3,868	4,142
	17,466	17,351
Staff		
Employee Travel and Training	1,826	6,136
Executive Director Hospitality	112	323
Recruitment Costs	8,822	---
Wages and Employee Benefits	186,722	180,079
	197,482	186,538
Commission		
Commissioner Honorariums	13,400	8,283
Commissioner Meetings & Hospitality	32	182
Commissioner Professional Development	---	1,502
Commissioner Travel and Conferences	5,699	2,383
	19,131	12,350
Public Education		
Community Grants	1,500	2,550
Elimination of Racial Discrimination Day	719	164
International Human Rights Day	---	164
Printing	1,000	---
	3,219	2,878
Legal		
Case Investigation	25,640	82,909
General	---	700
	25,640	83,609
Operational		
Insurance	1,420	1,400
Janitorial	---	68
Property Taxes	2,002	1,941
Repairs and Maintenance	338	893
Utilities	4,516	5,169
	8,276	9,471
	271,214	312,197
EXCESS (SHORTAGE) OF REVENUE OVER EXPENSES FOR THE YEAR	51,770	(58,341)

STATEMENT OF CHANGES IN NET ASSETS
FOR THE YEAR ENDED MARCH 31, 1997

	Investment in Capital Assets	Unrestricted Net Assets	1997	1996 (restated)
BALANCE AT BEGINNING OF YEAR	$72, 005	1,415	73,420	135,448
EXCESS (DEFICIENCY) OF REVENUE OVER EXPENSES IN YEAR	(3,743)	51, 770	48,027	(62,669)
ADDITIONS TO CAPITAL ASSETS	---	---	---	641
BALANCE AT END OF YEAR	$ 68, 262	$ 53, 185	$ 121,447	$ 73, 420

NOTES TO FINANCIAL STATEMENT

1. **Purpose of the Organization**

The Yukon Human Rights Commission is aYukon non-profit organization created to investigate and resolve allegations of human rights abuse in the Yukon. It is an organization created and funded by the Government of Yukon to administer the *Human Rights Act*.

2. Significant Accounting Policies

a) Amortization

Amortization is provided at rates sufficient to amortize the cost over the estimated useful lives of the assets. Capital assets are amortized using the declining balance method at the rates set out in note 3.

Current year amortization totals $3,743 ($4,328 in 1996).

The Investment in Capital Assets represents the total amortized capital assets of the Commission.

3. Capital Asets

	1997				1996
	Rate	Cost	Accumulated Amortization	Net	Net
Land	—	$ 20, 120	$—	$ 20, 120	$ 20, 120
Building	4%	61, 027	19, 607	41, 420	43, 145
Furniture & Equipment	20%	22, 944	18, 117	4, 827	6, 033
Computer Equipment	30%	15, 884	13, 989	1, 895	2, 707
		$ 119, 975	$ 51, 713	$ 68, 262	$ 72, 005

4. Long - Term Debt

	1997	1996
S.E.A.L. loan repayable in monthly installments of $90.53, with no interest, maturing April 1997.	$ 91	$ 1, 177
Current Portion due within one year	91	1, 086
	$ —	$ 91

5. Prior Period Adjustment

Prior year figures have been restated to show the retroactive effects of a change in accounting policy with respect to capital assets. This change has been implemented in order to conform to revised generally accepted accounting principles for non profit organizations. Previously, capital items were expensed in the year purchased and were also capitalized on the balance sheet at cost. The investment in Capital Assets reflected the historical cost of all capital assets owned by the Commission. The new policy is described in notes 2a) and note 3. Capital assets and Investment in Capital Assets have been decreased by $50,000 which is the estimated accumulated amortization of capital assets to March 31, 1996.

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